

Toronto Coroner Disqualifies Murray Katz, MD, from Inquest

Editorial Staff

TORONTO - Coroner Barry McLellan has disqualified Murray Katz, MD, from acting as an agent for the family of Lana Dale Lewis at the upcoming inquest into Ms. Lewis' death from a stroke almost five years ago.

On August 2, 1996, Lana Dale Lewis, 45, was given a cervical adjustment by a Toronto chiropractor. On September 12, 1996, she died from complications of a stroke. In November of 1999, her family called for an inquest. An inquest was twice denied, but was later granted upon appeal.

In making his decision not to allow Dr. Katz to represent the family, Dr. McLellan cited a letter written by Dr. Katz to coroner Dr. Murray Naiberg, which Dr. McLellan characterized as a "threatening letter to a public official," and "behavior inconsistent with what the public should expect of an agent of a party with standing."

In the letter, which was entered into evidence, Dr. Katz threatened to end Dr. Naiberg's career unless Dr. Naiberg took action to call for an inquest in the Lewis case. Subsequent to Dr. Naiberg receiving the letter, the coroner's office reversed two previous decisions not to call an inquest, before deciding that an inquest be called. Dr. Naiberg has since retired from the coroner's office.

The letter written by Dr. Katz to Dr. Naiberg, dated January 30, 2000, states:

"The legal bottom line is that you were the principal coroner responsible for the investigation of the case. It was your decision not to hold an inquest. ...The family is now considering an official complaint to the Ontario College of Physicians and Surgeons. You have to extricate yourself from that. It is not the way to end a career. ...That family will drag you into court and I will be pointing out their legal rights against you to them in that regard."

The evidence revealed that even after Dr. Katz became aware that Ms. Lewis had not experienced a dissection of her vertebral artery, he continued to claim a dissection was the cause of her stroke.

The coroner also considered evidence going back to 1979 when Dr. Katz misrepresented himself and disseminated misleading information about chiropractic. The coroner's finding corroborates the opinion of the Royal Commission in its 1979 report *Chiropractic in New Zealand*, submitted to the New Zealand Parliament that same year, which led to the licensing of chiropractors in that country.

Called before the commission as an expert witness by the New Zealand Society of Physiotherapists, the commission dismissed Dr. Katz's testimony against chiropractic for several reasons: The commission did not consider him an independent witness, as he was a plaintiff in litigation against a chiropractor at the time; further, the commission discovered that Dr. Katz felt so strongly about investigating chiropractic "from the inside" that he had "indulge(d) in a deliberate course of lies and deceit,"¹ including claiming that he was a chiropractor with a degree from Palmer College, and

lying to the authorities of the Canadian Memorial Chiropractic College.

"We share the Lewis family's desire for a comprehensive airing of the facts in this case in a fair and objective forum," said Dr. Roland Bryans, chairman of the Canadian Chiropractic Association. "The coroner's decision to disqualify Dr. Katz was based on a combination of sound jurisprudence and the conclusive evidence of Dr. Katz's behavior. We believe this decision serves the public interest and upholds the integrity of the inquest proceedings."

Editor's note: In 1994, we published a number of articles about Dr. Katz as the incorporator and sole director of Orthopractic Manipulation International, Inc., including a two-part interview with him. (See the July 29, 1994 issue, www.chiroweb.com/archives/12/16/10.html, and the Aug. 12 issue, www.chiroweb.com/archives/12/17/09.html). Dr. Katz also mounted a campaign in Canada against DCs treating children. (See "Orthopractic Declares WAR on Chiropractic Pediatrics" in the Sept. 23, 1994 issue, www.chiroweb.com/archives/12/20/06.html.)

Reference

1. Chapter 23: A North American Medical Practitioner. Chiropractic in New Zealand. Royal Commission Report, 1979.

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